

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 1:23-CV-24299-MORENO

MARIA ELENA CHAVEZ LETONA,

Plaintiff,

vs.

AMOR DE JESUS, CORP.,  
SWEET LIVING FACILITY INC.,  
JOSE MACHADO,  
ZELMIRA QUINONEZ, AND  
AMINTA QUINONEZ,

Defendants.

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**PLAINTIFF'S AGREED MOTION TO CONTINUE TRIAL  
AND RELATED PRETRIAL DEADLINES**

Plaintiff, Maria Elena Chavez Letona, through her undersigned counsel and pursuant to Fed. R. Civ. P. 12, Local Rule 7.1, and other applicable Rules and laws, requests the Court to extend the deadline to complete discovery, file dispositive and non-dispositive motions, and conduct the trial of this case based on the following good cause:

1. Throughout the pendency of this case, the Parties have diligently worked together to conduct discovery, including written discovery and depositions.
2. Plaintiff will be unable to complete discovery, file dispositive motions, and file non-dispositive motions by the deadlines imposed by the Court.
3. As previously indicated to the Court [ECF No. 45], nearly all the dates Defendants offered to depose Defendants, Aminta Quinoñez and Zelmira Quinoñez, were half-days and inadequate to depose these party witnesses who required translators.

4. Plaintiff commenced deposing Defendant Aminta Quinoñez (individually and as the representative for Amor de Jesus, Corp.) at approximately 1:00 p.m. on Tuesday, April 16, 2024.

5. Plaintiff did not complete the deposition of Defendant Aminta Quinoñez because of her need for an interpreter, her need to suspend the deposition at 5:00 p.m. to care for her children, and the way she responded to questions.

6. Plaintiff then commenced deposing Defendant, Zelmira Quinoñez (individually and as the representative for Sweet Living Facility, Inc.), at approximately 1:00 p.m. on Thursday, April 18, 2024.

7. Plaintiff did not complete deposing Defendant Zelmira Quinoñez because of her need for an interpreter, her need to suspend the deposition at 5:00 p.m., and the way she responded to questions.

8. Plaintiff took and completed the deposition of the remaining Defendant, Jose Machado, on Friday, April 19, 2024.

9. Defendants offered additional days to complete the depositions of Aminta and Zelmira Quinonez, but all additional dates of availability are after the April 26, 2024, discovery cut-off date, leaving insufficient time to obtain their transcripts and prepare a dispositive motion by May 10, 2024. [ECF No. 21.]

10. Plaintiff needs additional time to complete the depositions of these party witnesses, to obtain their deposition transcripts, and to then draft and file the appropriate dispositive motion.

11. Postponing the discovery cut-off deadline, the dispositive motion deadline, the remaining pre-trial deadlines, and the trial by 45 days would provide sufficient time.

12. Pursuant to Fed. R. Civ. P. 6(b)(1) “When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires.”

13. It follows that this Court has the power to “control the disposition of the causes on its docket with economy of time and effort for itself, for counsel and for litigants.” *Landis v. North American Co.*, 299 U.S. 248, 254 (1936); *also see Clinton v. Jones*, 520 U.S. 681, 706-707 (1997).

14. Accordingly, the Plaintiff requests that the Court postpone the trial of this case for 45 days and provide the parties with a commensurate extension of time for all remaining pre-trial deadlines.

15. In the interim, the parties will be attending mediation on may 15, 2024, if they are unable to resolve this matter beforehand.

16. This motion is not being submitted for delay or any other improper purpose.

17. Defense counsel agreed to the relief sought in this motion.

18. A proposed Order is being submitted simultaneously herewith.

WHEREFORE Plaintiff, Maria Elena Chavez Letona, respectfully requests the Court to grant her the relief requested above.

**LOCAL RULE 7.1 CERTIFICATION**

Counsel for the movant conferred with all parties or non-parties who may be affected by the relief sought in the motion in a good faith effort to resolve the issues raised in the motion and represents that defense counsel agreed to the relief requested above.

Respectfully submitted this 23rd day of April 2024,

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